

**MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT  
For SANTA FE HEIGHTS  
TM 5556, ER 10-08-007  
APN (s) 267-147-01 and 02**

**June 17, 2011**

**I. Introduction**

The project is a subdivision of 20.3 acres into 8 single-family residences approximately 0.5 to 0.7 acre parcels. The site is currently vacant and it is assumed that the entire 20.3-acre site will be impacted from the clearing, grading associated with construction for housing pads, fire-clearing, and access roads/driveways. No off-site improvements or offsite fire clearing are associated with the proposed development.

The project site is located north of Artesian Road, which is 4 miles west of Interstate 15, just south of Top O the Morning Way and west of Artesian Trail in the Community of San Dieguito, within the unincorporated portion of San Diego County (Assessor Parcel Number 267-147-01 and 02). This area is located within the Lake Hodges segment of the County's Multiple Species Conservation Program (MSCP). The project site is designated as "Minor Amendment" on the MSCP Subarea Plan Map (Attachment A).

As described in Section 1.14.1 of the MSCP Subarea Plan, minor amendment properties contain habitat that could be partially or completely eliminated (with appropriate mitigation) without significantly affecting the overall goals of the County's Subarea Plan. Minor amendment properties must meet the criteria and achieve the goals for linkages and corridors as described in sections 4.2.1 and 4.2.2 of the Metro-Lakeside-Jamul Segment of the Subarea Plan and provide mitigation consistent with the Biological Mitigation Ordinance (BMO). Minor amendments under County jurisdiction require the approval of the US Fish and Wildlife Service's (USFWS) Field Office Supervisor and the California Department of Fish and Game (CDFG) Natural Communities Conservation Planning Program Manager. Since all 20.3 acres of the property will be impacted, the County proposes to amend the whole parcel into the MSCP and have it designated as Take Authorized.

The Santa Fe Heights property is surrounded by small parcels that are designated as Estate Residential uses and Specific Plan Crosby Estates development to the north. Properties adjoining the project site to the north, east and south are developed with residential uses. There are 2 lots immediately to the east that are undeveloped and contain native vegetation. This pattern of sporadically developed parcels extends throughout this minor amendment area. East of this area are lands in the City of San Diego that are currently being developed. MSCP Preserve lands are located approximately 2,000 feet south and west of the project site. Most of this minor amendment area is adjacent to Take Authorized lands rather than connecting to the preserve system.

Biological resources on the project site were evaluated in a Biological Resources Report prepared by Helix Environmental Planning, Inc., dated November 23, 2010. The site contains 17 acres non-native grassland, 2.8 acres of coastal sage scrub, 0.2 acres of southern mixed chaparral, and 0.4 acres of disturbed/ developed habitat, as shown in Table 1. Two sensitive wildlife species have been identified on site, California horned lark (*Eremophila alpestris actia*) and San Diego back tailed jackrabbit (*Lepus californicus bennettii*) and the property has the potential to support raptor foraging in the area. No sensitive plant species were identified onsite according to 2004, 2007, and 2010 surveys.

The County determined that this site does not meet the criteria for a Biological Resource Core Area (BRCA) due to its surroundings. This small site is surrounded by other small parcels that are either developed or scheduled for development, and it is adjacent to the City of San Diego development to the east. It is also disconnected from MSCP preserve areas or lands with potential for linkages to BRCA's. Therefore, it is not an area in which mitigation/preservation should be focused.

Table 1. Impacts to Habitat and Required Mitigation (acres)

Habitat Type	Tier Level	Existing On-site	Proposed Impacts	Mitigation Ratio	Required Mitigation
Diegan Coastal Sage Scrub(32510)	II	0.1	0.1	1:1	0.1
Coyote brush scrub (32500)	II	2.7	2.7	1:1	2.7
Southern Mixed Chaparral (37120)	III	0.2	0.2	0.5:1	0.1
Non-Native Grassland(42200)	III	17.0	17.0	0.5:1	8.5
Disturbed (11300)	IV	0.1	0.1	N/A	--
Developed (12000)	IV	0.3	0.3	N/A	--
<b>Total:</b>	<b>--</b>	<b>20.3</b>	<b>20.3</b>	<b>--</b>	<b>11.4</b>

The findings contained within this document are based on County records, staff field site visits and the Biological Resources Report prepared by Helix Environmental Planning, Inc., dated November 23, 2010. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

## II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

**A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.**

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

**i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The project site is located outside of any areas shown as being a Pre-Approved Mitigation Area (PAMA) on the MSCP County Subarea Plan maps. The nearest PAMA is located along the San Dieguito River, about one mile west of the project site. MSCP Preserve lands are located approximately 2,000 feet south and west of the project site (see Attachment A).

**ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The project site is not contiguous with MSCP Preserve Lands or PAMA. Rather, it is immediately surrounded by small residential parcels. The site does not support or contribute to the long-term survival of sensitive species. No sensitive plant species have been identified on site and two sensitive animal species, California horned lark and San Diego back tailed jackrabbit. The project site is not adjacent to preserved lands.

**iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:**

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)**

The site is not part of a regional linkage/corridor as identified on MSCP maps nor is it in an area considered regionally important for wildlife dispersal. The site would not assist in local wildlife movement as it lacks connecting vegetation and visual continuity with other potential habitat areas in the general project vicinity. Development is currently underway in the City lands to the east. Adjoining properties to the north, east, and south are already developed with residential uses. MSCP preserve lands are located 2,000 feet south and west of the site, with several small residential parcels in between the site and the MSCP preserve. In addition, the site is not located within the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The project site was qualified as both very-high-value land and high value within the Habitat Evaluation Map. Much of the surrounding area was mapped as high and very high value. However, the County and the wildlife agencies (US Fish and Wildlife Service and California Department of Fish and Game) did not intend for this minor amendment area to be qualified as a BRCA. In fact, the habitat throughout this minor amendment area would typically qualify as low value due to its fragmentation and history of disturbance. These factors, along with the surrounding parcelization and development (both existing and proposed) prevent any linkage of significant blocks of habitat.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The project site is located within a minor amendment area of the Lake Hodges Segment, which is 380 acres in area. The project site is surrounded by residential and agricultural uses. The areas that are not developed are primarily non-native grassland with fragments of coastal sage scrub; a product of abandoned agricultural activities and heavy grazing. About half of the properties within this minor amendment area are already developed with residential and agricultural uses, while the remaining parcels are small in size and expected to be developed with single-family homes and on-site septic systems. The lands to the east are currently being developed for residential use also. As such, the property is not within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived**

**from the following geologic formations which are known to support sensitive species:**

- a. Gabbroic rock;**
- b. Metavolcanic rock;**
- c. Clay;**
- d. Coastal sandstone**

The project site does not contain a high number of sensitive species. The site is not adjacent to or contiguous to surrounding undisturbed habitats. Immediately to the north, east, and south are developed properties. The rest of this minor amendment area is 380 acres in size and is about 50% developed with single-family residences and agriculture. The site contains clay soils (Huerhuero loam). Yet, based on the above findings, and the general intent of the MSCP and BMO, it does not qualify as a BRCA. Though the site supports sensitive soils, it is not part of a potential regional preserve system. MSCP conservation goals and regulations were not implemented to preserve small areas with isolated resources, but to manage large areas of diverse habitats with long-term viability. Therefore, despite the sensitive vegetation and soils on site, the subject property does not meet the criteria for a BRCA.

**B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

Mitigation will take place off site with the purchase of credits in a County-approved mitigation bank, within a BRCA in the MSCP. The required mitigation will include the purchase of 8.5 acres of non native grassland, 2.8 acres of Diegan coastal sage scrub, and 0.1 acre of southern mixed chaparral.

**C. Project Design Criteria (Section 86.505(a))**

Findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

- Findings for Project Design Criteria are not applicable in this case because the project is not expected to affect any sensitive species populations or any BRCAs. Moreover, the project design itself is not a determining factor in the significance of the impacts in this case. The County proposes to amend the entire parcel into the MSCP as "Take Authorized Lands."

**D. Preserve Design Criteria (Attachment G)**

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all

projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

- Findings for Preserve Design Criteria are not applicable in this case because the project does not propose any on-site preservation. Mitigation for project impacts will take place within a BRCA where it will contribute to a much greater preserve area with higher habitat value.

#### **E. Design Criteria for Linkages and Corridors (Attachment H)**

For project sites located within a regional linkage and/or that support one or more potential local corridors, the findings contained within Attachment H shall be required to protect the biological value of these resources:

- The Findings contained within Attachment H are not applicable in this case because the project site is not part of a regional linkage or local corridor.

### **III. Subarea Plan Findings**

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

#### **1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**

No wetlands or wetland habitats are associated with the project area. Therefore, the project will not conflict with state and federal wetland goals or policies.

#### **2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The project site does not contain habitats that are structurally diverse or unique. The site now contains non-native grassland after coastal sage scrub on site was cleared away. Aerial photographs of the site show that the 20-acre property was surrounded by development on three sides (west, east and south) in 1997 when the MSCP was implemented. As such, it was already fragmented and subjected to edge effects. Based on these conditions, on-site conservation is not required. Though the project site does not contain unique habitats, resources, or features, it will result in the off-site preservation of high-value Tier-II and III habitat within a biological resource core area. In this way, it will better contribute to the goals of the MSCP and be more effective in maximizing diversity and preserving unique resources.

#### **3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were**

**ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The site is shown as having very high and high value habitat lands on the MSCP model. The relatively isolated habitat on site does not represent extensive patches of native vegetation and is not considered to be of high biological value. The site is subject to edge effects. The proposed off-site mitigation for non native grassland and coastal sage scrub will be located within a Biological Resource Core Area and will add to spatially representative examples of extensive patches of high-value habitat.

**4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

Because this area does not qualify as a BRCA, on-site preservation of habitat is not appropriate. Moreover, the small size of the parcel and the surrounding development do not allow for the creation of a viable conservation area. Adjacent habitats outside the project site boundary consist of non-native grassland, fragments of coastal sage scrub, single-family residential development, and agriculture, all of which would not contribute to the assembly of a preserve system of diverse habitats. Mitigation for coastal sage scrub and non native grassland within a BRCA will provide a greater benefit to wide-ranging species that would utilize this vegetation community. The 11.4 acres of off-site mitigation will be within a significant block of habitat with minimal edge effects.

**5. The project provides for the development of the least sensitive habitat areas.**

The project will potentially impact the entire 20.3-acre site, which supports Diegan coastal sage scrub and non native grassland, a sensitive habitat in San Diego County. This would be considered a highly sensitive habitat area if not for the existing parcelization of (and development within) the surrounding minor amendment area. Half of the parcels in the vicinity are developed with residential and agricultural uses. Beyond that are Take Authorized lands to the north within Crosby estates and City of San Diego lands that are undergoing development to the east. And since no unique microhabitat features occur on site, the County is requesting that the whole parcel be amended and designated as Take Authorized. In this respect, no particular placement of the project components would be more or less adverse than any other.

**6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No threatened, endangered, or narrow endemic species were detected on the project site. Two sensitive wildlife species have been identified on site, California horned lark (*Eremophila alpestris actia*) and San Diego back tailed jackrabbit

(*Lepus californicus bennettii*) and the property has the potential to support raptor foraging in the area. No sensitive plant species were identified onsite according to 2004, 2007, and 2010 surveys. The project provides for conservation of coastal sage scrub and non native grassland by purchasing and preserving this habitat in a mitigation bank. This will contribute to the regional conservation goals of the MSCP.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The project will not affect any large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule Deer, Golden Eagles and large predators. The project site is approximately two miles southeast of the golden eagle nest in Lake Hodges; however, the project site and surrounding minor amendment properties are not expected to provide foraging habitat for the species. The occasional mule deer or coyote that might cross the property will continue to do so to the west of the property. The purchase of 11.4 acres of coastal sage scrub and non native grassland will be located within large interconnecting blocks of diverse habitats that are utilized by wide-ranging wildlife species.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

No critical populations or narrow endemic species were detected or expected to occur on the site. Most sensitive species have a low potential to be present due to the disturbed nature of the site and surrounding development.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

This site is disconnected from any designated areas of Planned Preserve or PAMA areas within the Subarea Plan. The nearest PAMA is located along the San Dieguito River, about one mile west of the project site. And MSCP Preserve lands are located approximately 2,000 feet southwest of the project site. The proposed development will not create any barriers, edge effects or fragmentation within a biological resource core area of the MSCP. The project site is not within an area of regional significance with regard to conservation of sensitive habitats. The site's proximity to surrounding residential development (existing and proposed) lower the potential for the site to aid in conservation or wildlife dispersal. Developing the site will not hinder possible preserve systems. Therefore, it has been found that the project will not jeopardize the assembly of a preserve system within the Subarea Plan.



**10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

No on-site preservation is proposed. The project is conditioned to require purchase of 2.8 acres of Tier-II or higher Tier habitat and 8.6 acres of Tier-III or higher Tier habitat off-site in a mitigation bank.

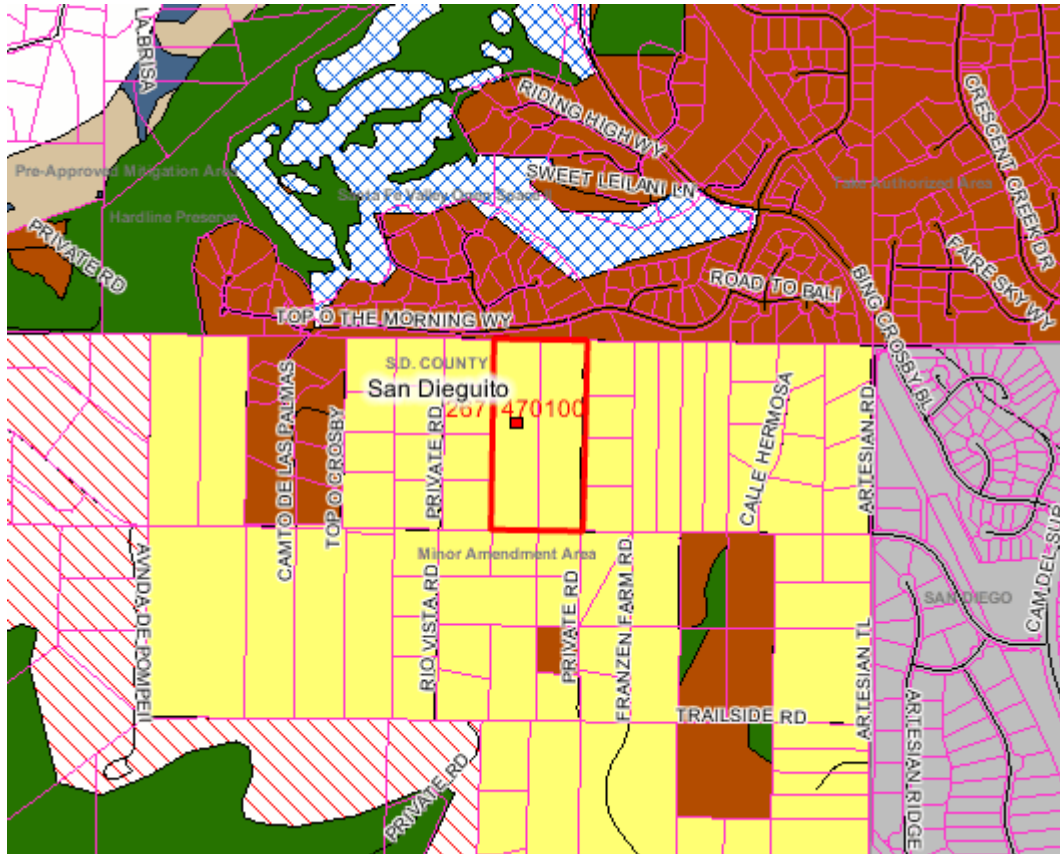
**11. Every effort has been made to avoid impacts to BRCA's, to sensitive resources, and to specific sensitive species as defined in the BMO.**

The project site is not within a Biological Resource Core Area and is located 2,000 feet from the MSCP preserve lands. Therefore, the project is not expected to affect BRCA lands. Sensitive resources on site consist of 17 acres of non-native grassland, 2.8 acres of coastal sage scrub, and 0.2 acres of southern mixed chaparral. Mitigation for impacts to habitat will take place off site in a BRCA with the purchase of Tier-II and Tier-III or higher Tier habitat credits. The project will not significantly affect any sensitive wildlife in this area, and the site is not part of a regional linkage or local wildlife corridor. Based on a thorough review of this project, every effort has been made to avoid impacts to sensitive resources. Evaluation of the property indicates that this site is suitable for the residential development that is proposed in the Santa Fe heights subdivision.

Monica Bilodeau, Department of Planning and Land Use

June 17, 2011

# MSCP Designation For SANTA FE HEIGHTS TM 5556, ER 10-08-007



## Legend

- |  |   |
|--|---|
| Parcels with out labels                                | Take Authorized Area                                |
| Highways   | Unincorporated Land in Metro-Lakeside-Jamul Segment |
| Freeways   | Other   |
| Streets  | <b>Sponsor Groups</b>                               |
| <b>Water Bodies</b>                                    | Sponsor Groups                                      |
| Water Bodies   | Other   |
| <b>MSCP_Designations - South</b>                       | <b>Community Planning Area</b>                      |
| Hardline Preserves                                     | Community Planning Areas                            |
| Pre-Approved Mitigation Area (PAMA)                    | <b>Incorporated Areas</b>                           |
| Major Amendment Area                                   | S.D. COUNTY   |
| Minor Amendment Area                                   | Other   |
| Minor Amendment Area Subject to Special Considerations | County Boundary2                                    |
| Conserved Subject to Agreement with Wildlife Agencies  |   |
| Santa Fe Valley Open Space II                          |   |
| Santa Fe Valley ID Designator                          |   |
| Gray Ranch Areas Where No Take Permits will be Issued  |   |